

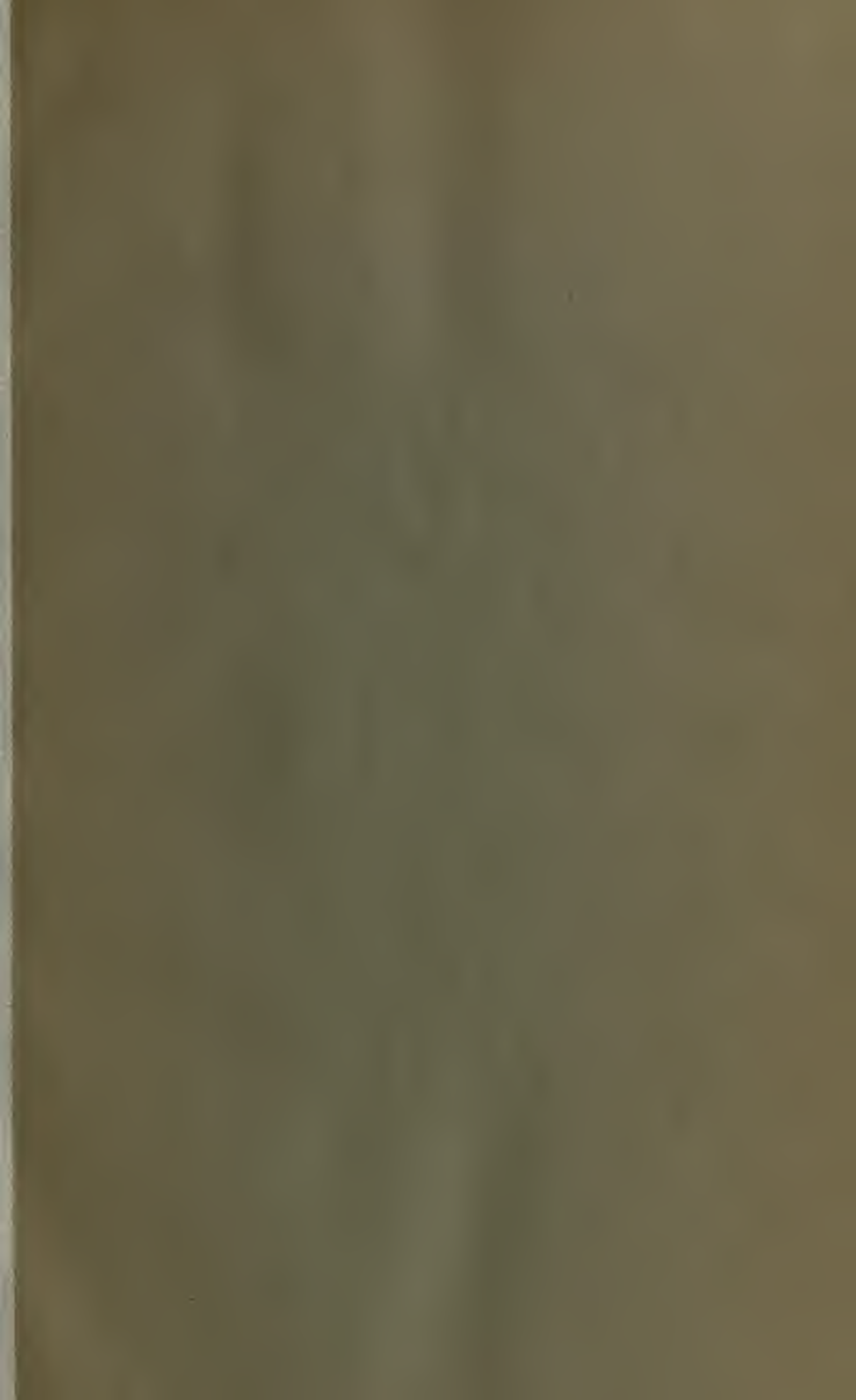
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ANNEXATION OF TEXAS.

BY JUNIUS.

Author of "THE CRISIS OF THE COUNTRY," and other Tracts of 1840.

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ANNEXATION OF TEXAS.

§ 1. Mr. Clay's Position on this Question.

It is defined in his Raleigh Letter, of April 17th, 1844, addressed to the Editors of the National Intelligencer.

1. He was opposed to the cession of Texas to Spain, in the treaty of 1819.

"When the treaty was laid before the House of Representatives," says Mr. Clay, "being a member of that body, I expressed the opinion which I then entertained, and still hold, that Texas was sacrificed to the acquisition of Florida."

2. Mr. Clay acknowledges the validity and bona fide obligations of the treaty of 1819.

"If," he says in the Raleigh letter, "we made too great a sacrifice in the surrender of Texas, we ought to take care not to make too great a sacrifice in the attempt to re-acquire it. . . . We have fairly alienated our title to Texas by solemn national compacts, to the fulfilment of which we stand bound by good faith and national honor. It is, therefore, perfectly idle and ridiculous, if not dishonorable, to talk of resuming our title to Texas, as if we had never parted with it. We can no more do it, than Spain can resume Florida, France Louisiana, or Great Britain the American Colonies, now composing a part of the United States."

The "national compacts" above alluded to, are, first, the treaty of 1819, and next, all our official recognitions of that transaction in our intercourse and arrangements with Mexico and Texas, based upon it, in regard to boundary, &c. Granting that the cession of Texas to Spain, in 1819, was unconstitutional, as some think, *as we did it*, we cannot plead our own laws to the prejudice of a foreign power, to whom we have made engagements. How could they know? Besides, if we choose to break the treaty by breaking our faith, on this ground, we lose the Floridas, our sole title to which is based on that instrument. It would be singular if a man should plead as an apology for violating a contract, that when he made it, he overlooked certain rules of action, which he had prescribed to himself! Is not this the principle involved in this case? If a man has sworn to his own hurt, as a just man he must abide by it. Such special pleading would be stamped by every fair mind as dishonest in a private individual—in a nation, infamous. Mr. Clay has always maintained, and still maintains, that, in parting with Texas, we committed an error to our own hurt. But to seize upon it now, on the ground of this error, would be shameful violence.

3. Mr. Clay thinks, that our recognition of the independence of Texas, on our own established, published, and well known principle of acknowledging the Government *de facto* (actual) of any country, without regard to other *de jure* claims (claims of right), does not at all affect the relations of Mexico and Texas, as belligerent parties.

"That negotiation," says Mr. Clay, "did not affect or impair the rights of Mexico, or change the relations which existed between her and Texas. She, on the contrary, has preserved all her rights, and has continued to assert them; and so far as I know, yet asserts her right to reduce Texas to obedience."

This position of Mr. Clay rests on matter-of-fact ground, and is incontestible. Our Government has proclaimed to all the world, that such is our doctrine, all the world know it, and such, invariably, has been our practice, till Mr. Tyler got up his treaty of annexation. There is no principle of our government longer established, better known, or more uniformly maintained. Every administration, till the present, has acted upon it. We have never before sought, but always declined to meddle with the controversies of foreign states and nations. It is a most delicate affair, when, for our own commercial advantage, we have acknowledged the independence of a state that is in controversy with a parent state for national rights, we go yet farther, while the dispute is pending, and undertake to decide it by our own arbitrary act, for our own benefit! Mr. Tyler says, in his message to the House of Representatives, of June 10th, "The Executive has dealt with Texas as a power independent of all others, both *de facto* and *de jure*." So it would seem. But it is the first time in our history that our Government has ever done a thing of the kind, and not less a violation of our principles, than a departure from our practice. It is an outrage on the customs and laws of nations.

4. "Under these circumstances," says Mr. Clay, "if the government of the United States were to acquire Texas, it would acquire along with it all the incumbrances which Texas is under, and among them the actual or suspended war between Mexico and Texas. Of that consequence there cannot be a doubt. Annexation and war with Mexico are identical."

The "suspended war" is the case of a supposed armistice, which was proclaimed by President Houston, June 15th, 1843. "All the incumbrances which Texas is under," are, *first*, her debts, asserted by her Commissioner in treaty with Mr. Tyler, to be *five millions* of dollars, but very prudently provided for in said treaty to the amount of *ten millions*, since swelled to *twenty-two millions* by credible evidence, and very likely in the end could not be satisfied with *fifty millions*. All this liability, more or less, is of course incurred by annexation. *Next*, we should incur all her *treaty obligations* with Great Britain, France, Holland, and other powers, which might be disagreeable, and very inconvenient. There would be no escape from this, as is distinctly intimated in Mr. Everett's official letter of the 18th of May to Mr. Calhoun, and is farther determined in the advocacy of the treaty of annexation, on the authority

of Vattel, that one treaty cannot vitiate the obligations of a former treaty. This sword of Tyler, Calhoun, Walker & Co., by which they cut their way to a hitherto undiscovered platform (we shall by and by see what it is), happens to have two edges, and the edge which they did not see, may prove the sharpest. Mr. Everett reports Lord Aberdeen to have said in the House of Lords, the 17th of May, in answer to a question from Lord Brougham, "that the annexation of Texas raised a question, as he believed, new and unexampled in the history of public law, which demanded and would receive the earliest attention of her Majesty's Government." Mr. Everett inferred, that the point of this question was "the effect of a union between two separate and independent States on their *previously* existing relations with other powers." Lord Aberdeen spoke with reserve. The *third* incumbrance is that more particularly specified in Mr. Clay's letter. "Annexation and war with Mexico, are identical." A fourth and contingent incumbrance is, what may *accrue* from "the previously existing relations of Texas with other powers," which may also be war with very formidable opponents.

5. Mr. Clay thinks, that a war with Mexico is not to be regarded with levity. He says,

"I know there are those who regard such a war with indifference, and as a trifling affair, on account of the weakness of Mexico, and her inability to inflict serious injury upon this country. But I do not look upon it thus lightly. I regard all wars as great calamities, to be avoided if possible, and honorable peace as the truest policy of this country. What the United States most need are union, peace and patience."

As to the weakness of Mexico, as relied upon in the project of annexation by force of arms, Mr. Clay thinks "it would be more compatible with the dignity of this nation, and less dishonorable," to attempt a like enterprise against a strong than against a weak power. In view of "all the incumbrances which Texas is under," as above noted, certainly a war with Mexico is not to be lightly regarded. Will Mexico venture on such a contest, relying upon her own strength? She must be very stupid in doing so. Will she not see the tendencies of the opinion of mankind in such a case, and estimate, *not unadvisedly*, her chances of preying on our rich commerce by commissioning privateers, and for forming powerful alliances, offensive and defensive? Hence Mr. Clay asks:—

"Are we perfectly sure that we should be free from injury in a state of war with Mexico? Have we any security, that countless numbers of foreign vessels, under the authority and flag of Mexico, would not prey upon our defenceless commerce in the Mexican Gulf, on the Pacific ocean, and on every other sea and ocean? What commerce on the other hand, does Mexico offer as an indemnity for our losses, to the gallantry and enterprise of our countrymen? This view of the subject supposes, that the war would be confined to the United States and Mexico, as the only belligerents. But have we any guaranty, that Mexico would obtain no allies among the great European powers? Suppose any such powers, jealous of our increasing greatness and disposed to check our growth and cripple us, were to take part in behalf of Mexico in the war, how would the different belligerents present themselves to the world? We have been seriously charged with an inordinate spirit of territorial aggrandizement, and without admitting this portion of the charge, it must be owned, that we have made vast acquisitions of territory within the last forty years. Suppose that Great Britain and France, or one of them, were to take part with Mexico, and by a manifesto, were to proclaim, that their objects were to assist a weak and helpless ally, to check the spirit of encroachment and ambition of an already overgrown republic, seeking still farther acquisitions of territory; to maintain the Independence of Texas, disconnected with the United States, and to prevent the farther propagation of slavery within the United States; what would be the effect of such allegations upon the judgment of an impartial and enlightened world?"

This, as cannot be denied, is a tremendous hypothesis, and a tremendous question, not less instructive in view of the jealous disposition of European powers towards the United States. It is *prophecy*, which needs no other inspiration than the sagacity of the great statesman who uttered it. We are at this moment on the verge of the most momentous war of all history, the responsibility of which will be charged at our door.

6. The *domestic* aspects of the question, independent of foreign. Admitting that Mexico would give her consent,

"I do not think," says Mr. Clay, "that Texas ought to be received into the Union, as an integral portion of it, in *decided opposition to the wishes of a considerable and respectable portion of the confederacy*. . . Mr. Jefferson expressed the opinion, and others believed, that it never was in the contemplation of the framers of the Constitution, to add foreign territory to the confederacy, out of which new states were to be formed."

Mr. Jefferson felt the importance of acquiring Louisiana, and fore-shadowed in a letter to Levi Lincoln, Aug. 30, 1803, an *ex post facto* amendment of the Constitution, to sanction the deed, at the end of which he says—

"I quote this for your consideration, observing, that the less that is said about any Constitutional difficulty, the better, and that it will be desirable for Congress to do what is necessary, in silence."

In a letter to Mr. Brackenridge, Aug. 12. 1803. he says:—

"The Constitution has made no provision for our holding foreign territory, still less for incorporating foreign nations into our Union. It is the case of a guardian, investing the money of his ward in purchasing an important adjacent territory, and saying to him when of age, I did this for your good; I pretend to no right to bind you; you may disavow me, and I must get out of the scrape as I can. I thought it my duty," &c.

In a letter to Wm. C. Nichols, Sept. 7, 1803, he says:—

"I am aware of the force of the observations you make on the power given by the Constitution to Congress, to admit new States into the Union, without restraining the subject to the territory then constituting the United States. But when I consider that the limits of the United States are precisely fixed by the act of 1783, that the Constitution expressly declares itself to be made for the United States, I cannot help but of the intention was, only to permit Congress to admit into the Union new States, which should be formed of the

territory, for which, and under whose authority alone, they were then acting. I do not believe it was meant, that they might receive England, Ireland, Holland, &c., as would be the case on your construction. Our peculiar security is in the possession of a written Constitution. I say the same as to the opinion of those who consider the treaty-making power boundless. If it is, then we have no Constitution."

We do not quote these passages from Mr. Jefferson, to show, that, if he was right in this opinion, Texas could not be annexed. It appears that Mr. Jefferson himself got over this difficulty, in the case of Louisiana, by proposing an *ex post facto* amendment of the Constitution, and rendering an account to the nation for the irregularity. Nor do we cite this, to put Mr. Clay on that ground. We have no right to put him there, or elsewhere, where he has not distinctly taken up his own position. Personally, we have another mode of getting over this difficulty, viz., by an act of national sovereignty, which the Constitution does not expressly forbid, and which no party, or no "considerable portion of the confederacy," objects to. Such, precisely, were the transactions which added Louisiana and Florida to the Union, and nobody has ever objected to them since. Such are many acts, on a smaller scale, some of them important, which are constantly being done by this Government. Where, for example, is the authority in the Constitution for laying out the Congressional burying-ground, for taking and using the Smithsonian legacy, for building an observatory, for erecting the magnificent public edifices at Washington, for setting up the Patent Office, which is fast growing into a Home Department of the Government, for fitting and sending out the Exploring Expedition, &c. &c.? These and many others, are all acts of national sovereignty, not expressly forbidden in the Constitution, to which no party, scarcely any body, objects. It is virtually legislation on the *no-objection* principle—the harmonious exercise of national sovereignty. We do not know that Mr. Clay has taken ground on this principle, in the respect he feels obliged to render to "the wishes of any respectable and considerable portion of the confederacy," on the question of Annexation; but we think he is right in his position, certainly prudent. There are grave doubts as to the constitutionality of the measure; no *express* authority can be cited; and who would be warranted, in such a case, to trample on "the wishes of a considerable and respectable portion of the Confederacy?" The majority cannot rightfully put down the minority, which rises up and invokes the Constitution as a shield, demanding authority for an act of alleged injustice. This is a mete, a boundary, over which a fair man will not, dare not, leap. The annexation of Texas, as now proposed, is a great, a momentous question, sprung upon the country at an unexpected moment, with a view to force it, before it can be considered, because it is known that "a considerable and respectable portion of the confederacy" is not prepared for it, would perhaps oppose it. Mr. Clay, a republican from the beginning, is manifestly, though he does not say it, shocked at such a violation of democratic principles—at an attempt to force upon the Union a *foreign sovereignty*, without asking leave of the people! He proposes, that the people should have time to consider it; and as it is a measure of doubtful Constitutionality with many, he would feel bound to respect the objections of "a considerable and respectable" minority. He says:—

"I think it far more wise and important to compose and harmonise the present Confederacy, as it now exists, than to introduce a new element of discord and distraction into it. In my humble opinion, it should be the constant and earnest endeavor of American statesmen, to eradicate prejudices, to cultivate and foster concord and to produce general contentment among all parts of our Confederacy. And true wisdom, it seems to me, points to the duty of rendering its present members happy, prosperous, and satisfied with each other, rather than to introduce alien members, against the common consent, and with the certainty of deep dissatisfaction."

Mr. Jefferson proposed to take Louisiana, "*in silence*,"—"the less said the better," because he *knew* the people would be satisfied. He said, "we shall not be disavowed." It has recently been proposed to take Texas, "*in silence*," and *by stealth*, because it was known, that the people would be *dissatisfied*, and that it could not be done openly without strenuous opposition from the most respectable quarters.

7. In the apparent motive which actuates this precipitate movement, is developed an alarming element of future strife and disunion between opposing sections of the confederacy. Mr. Clay says, "It is useless to disguise, that there are those who espouse, and those who oppose the annexation of Texas on the ground of the influence it would exert in the balance of political power, between two great sections of the Union." He thinks, that nothing could be "more unfortunate, or more pregnant with fatal consequences," than a struggle of this kind. "If to-day Texas be required to add strength to one part of the confederacy, to-morrow Canada may be required to add strength to the other," and where and in what is such a strife to end? It needs no prophet's ken to answer. All see the end of it.

8. "If," says Mr. Clay, "any European nation entertains any ambitious designs upon Texas, such as that of colonizing her, or in any way subjugating her, I should regard it as the imperative duty of the Government of the United States, to oppose to such designs the most firm and determined resistance, to the extent, if necessary, of appealing to arms, to prevent the accomplishment of any such designs."

Well, we do not see what more the hottest annexationist can ask than this. The sole pre-
t assigned for the movement, so far as appears, is this *very thing*, which, Mr. Clay says,
w, d impose "an imperative duty on the Government of the United States to oppose it, if
nec, ary, even by an appeal to arms." We should then have the public law of nations on

our side. Any foreign European interference in the affairs of Texas, would be a just occasion of offence to us, and we could never consent to it, as it might endanger our interests, and impair our political and national rights. They who are for immediate annexation, cannot go farther than this. Mr. Clay declares, that he would defend this right against all the world, and fight for it if necessary. To all European nations, his language is—HANDS OFF OR TEXAS—and they, who know Mr. Clay, will believe, that it will not be his fault, if they are not kept off. But these immediate annexationists want to fight *before* it is necessary—before it can be done with honor—when it is sure to incur the reprobation of mankind—and when it may bring down upon us the combined hostility of the most powerful nations. No man would grasp the sword quicker, or with a more resolute will, than Mr. Clay, when a European power should make tangible demonstrations of a meddling interference in the affairs of Texas. But, like Captain Tyler, who cuts off heads for the suspicion that the wearers are “Clay men at heart,” the immediate annexationist would fight all the world on the presumption, that there is somebody in it, who has an evil thought, though he cannot tell who it is. We demand the evidence.

“From what I have seen and heard,” says Mr. Clay, “I believe, that Great Britain has recently, formally, and solemnly disavowed any such aim or purposes—has declared that she is desirous only of the independence of Texas, and that she has no intention to interfere in her domestic institutions.”

It appears, that *four* separate and distinct official disavowals of this kind, from Lord Aberdeen himself, as Secretary for Foreign Affairs, two through our Minister Mr. Everett, and two through Mr. Packenham, British Minister at Washington, were in the hands of our Government, when Mr. Clay wrote this letter—all communicated in the space of three months. They were *volunteered—gratuitous*—altogether unusual. They were disavowals, not only of “any desire on the part of the Government of Great Britain to establish a *dominant influence* in Texas, whether partially dependant on Mexico, or entirely independent,” or to interfere in her domestic affairs; but also of any desire or design, “openly or secretly, to disturb the internal tranquillity of the slave-holding states, or to injure the prosperity of the American Union.” Even Thomas Hart Benton, a right good hater of the British, and always sufficiently jealous of them, was constrained to say in the Senate—“This is enough for me. That Government is too proud to lie.” It is remarkable, that the British Government should have taken such special pains to contradict the statements and correct the misrepresentations of a secret agent of President Tyler (supposed to be Mr. Duff Green), on which the treaty of annexation was founded; and still more remarkable, after those disavowals were made, that a treaty, based on such a false foundation, should be persisted in, and defended by the very documents which contained the disavowals! Not less remarkable is the fact, that the letter of our Secretary of State to Mr. Packenham, finding reasons for the treaty in the papers of disavowal, was dated *six* days after the treaty was signed, thus evincing that this letter was an *after* thought—an *ex post facto* production! Most unfortunate was this British Minister, in having his words, which were designed for peace, thus perverted to kindle strife. What Mr. Benton believes in this affair, we may safely have some respect for.

9. Mr. Clay's position on the annexation question, leaves it precisely where it was. He opens and shuts no door on this question, nor does he put his little finger to one. He frankly ventures on some suggestions, which, perchance, may prove prophetic. But Mr. Clay, so far as we can see, is not committed or pledged to any course of policy on this question, other than—1. To maintain the faith of treaties. 2. Not to violate our rule of non-intervention, where our position is neutral. 3. To do what he can, fairly and honorably, to secure the independence of Texas. 4. To see that our own republic receives no damage by European interference in the affairs of Texas. 5. To oppose, if necessary, by force of arms, all such machinations. 6. To leave the question of Annexation open and unembarrassed, for the future decision of the parties concerned, *after* they shall have had a fair and sufficient opportunity to consider it. And 7. To help the country through the critical posture, into which ambitious men, reckless of consequences, have brought it. This is the position of Mr. Clay on the annexation question, as we understand it. He would not pick a quarrel, where we could only reap dishonor, and where we would chance to have the world against us. And we have reason to believe, there is no part of the Union and no interest, no feeling or prejudice on this subject, which Mr. Clay does not regard with impartial and patriotic concern.

§ 2. Mr. Van Buren's Position on Annexation.

To understand this is alike important and pertinent, as it goes to determine the position of Messrs. Polk and Dallas—names but little known till lately, but whose *whereabouts* we are required to notice, since the misfortunes of our political opponents have suddenly made these gentlemen prominent. The question of the annexation of Texas had been twice in Mr. Van Buren's hands for official action, first as Secretary of State under General Jackson, and next as President of the United States; and we must do him the honor to say, that he treated the subject in both cases with ability and fidelity. His official action, and the grounds of it, were

Mr. Clay are well enough agreed, except that Mr. Clay goes a little farther, and boldly says, he would "appeal to arms" in such a case. Mr. Polk's reasoning is *ex* this wise:—1. Our title to Texas was good. (Granted.) 2. We parted with it most unwisely." (So says Mr. Clay.) 3. *Therefore*, we have a perfect right to it! We would add, 4. Why consult Texas, since our title was "indisputable," and since we gave it up "most unwisely?" According to this reasoning, we can take Texas whenever we please, though she might get in bad humor, and try to annex herself elsewhere. We should *only* have to fight for her at last, and are sure to be obliged to fight by taking her now. But Mr. Polk says, "I have no hesitation in declaring, that I am in favor of *immediate* annexation." Enough.

As for Mr. George M. Dallas, when he had never dreamed of so high a destiny as to be a candidate for the Vice-Presidency of the United States, he wrote the following letter:—

PHILADELPHIA, Feb. 5, 1844.

MY DEAR SIR—I cannot resist the impulse to tell you how much delight I have taken in reading your pamphlet on Texas, &c. It is comprehensive, clear, argumentative, and eloquent. Nothing can remove or resist your facts, and I defy ingenuity to assail the justice and integrity of your deductions. In the midst of all my distraction at the bar, my head has been running on this topic for some months, and your admirable brochure comes to me like manna in the way of starved people.—I cannot tell you without using words you might consider extravagant, how highly I appreciate your labors, and how sincerely, as an American Democrat, I thank you.

Truly, and ever yours,

GEORGE M. DALLAS.

HON. R. J. WALKER.

Mr. Dallas is evidently in an ecstasy here. What was it that set him up thus lofty on these stilts of political satisfaction? The answer is, that Mr. Senator Walker, of Mississippi, the High Priest of the Tyler Treaty of Annexation, the caterer for the altar, and the expounder of all law on the subject, *for that side*, commenced his work early in January last by a public letter, to which this note of Mr. Dallas refers. That letter proves *anything, for anybody*. For example:—It proves that the annexation of Texas is the sure and only way to get rid of slavery in the United States; that it is the only way to support our Tariff system; that it is the only way to break down the Tariff system; that it is the only sure mode of fortifying and perpetuating "the institution of slavery;" that Texas *never* owed allegiance to Mexico; &c. &c. It meets all tastes, all passions, all interests, on this question, North or South, or anywhere. *Therefore*, all should go for annexation. (*See the Letter.*) This is the Document which put Mr. George M. Dallas into such ecstasies, as his note, above, indicates. It was "*a brochure*" that came to him "*like manna in the way of starved people.*" He could not tell all the satisfaction he felt, without being "*considered extravagant.*" If Mr. Polk could have written a letter, without thinking that he was a candidate for the Vice Presidency, we might have had another "*brochure.*" Both of them, however, stand pretty fairly and thoroughly committed for "*immediate annexation.*" SUCH IS THEIR POSITION.

§ 4. *It is a poor rule that wont work both ways.*

We have seen how skilfully the argument for "immediate annexation" is adapted to all tastes and interests. Mr. Senator Walker, whose reasoning is so commended by Mr. Dallas, and who has made himself so prominent in support and defence of the Tyler treaty, maintains, that we can acquire and can cede territory *constitutionally*; but is obliged to rely upon the principle, that we *could not* constitutionally cede away Texas. Therefore, the treaty of 1819 is *null and void*. Texas is *ours*—"all our own." This, so far as we can see, is the *technical ground*, or the *special pleading*, on which "immediate annexation" is based. It is said, that in our treaty of 1803, with France, by which we purchased Louisiana, we guaranteed the right to all the inhabitants of that territory, to come into the Union as a state, or states, whenever their population should be sufficient, according to the terms of the Federal compact. This is true. And in pursuance of that engagement, we have already made *three* States, Louisiana, Missouri, and Arkansas. The authority of Vattel is then cited, *to show*, that a State or nation cannot make a new treaty with a new party, to vitiate a former treaty with another party. Consequently, the treaty of 1819, with Spain, which ceded away Texas, is *null and void*. The citizens of Texas have a constitutional right, on this foundation, to claim admission into our Union, as a separate and independent State. This is the argument of Mr. Walker, and the ground on which the Tyler treaty of annexation was based. It is, we believe, the *sole ground* on which the "Immediatists," when hardly pressed, can fall back.—Let us consider it:—

In the first place, we have made *three* States out of the territory acquired by the treaty of 1803. In the second place, the Spaniards, in the valley and on the bank of the Rio del Norte, and any other Spaniards, occupants of Texas, when it was ceded by us to Spain, in 1819, did not object, and do not to this day object, but prefer to remain under Mexico. In the third place, they who now apply for annexation, were not inhabitants of Texas in 1819, and therefore cannot plead the right claimed for them. In the fourth place, when they went there, voluntarily, they voluntarily took the oath of allegiance to a province of Mexico, and by that act *alienated* themselves from our Union. In the fifth place, and consequently, they cannot

claim the rights of American citizens. In the sixth place, as a matter of fact, they never have claimed those rights, but they present themselves to us as *aliens*, soliciting annexation as an *alien* sovereignty. In the seventh place, Texas, as a piece of territory, is evidently in a mute condition, and cannot assert the rights of a party in this question. Where, then, is the party entitled to claim admission to our Union on such a ground? No such party has ever yet presented itself. It will, therefore, be time enough to consider its claims, when it does. The argument amounts to this:—We confess ourselves to have been rogues in the treaty of 1819, for a supposed benefit then, that we may profit by our roguery in a benefit now. The Texans are too modest to take any advantage of our confession, and come to us with a manly front, soliciting annexation as an *alien State*. We, desiring the Union, but finding obstacles in our relations with Mexico, suddenly discover a flaw in an old contract, of which nobody complains, by which no party was injured, but which can be mended by breaking later contracts, and by defrauding a party, which lives to complain, does complain, and peradventure may sue for redress. What is the name of such a case in law? We do not deny that the cession of 1819 was unconstitutional, if any choose to have it so. We have done many unconstitutional things in our history, which cannot be undone. It is said, that Mr. Clay was of opinion that this treaty was unconstitutional, and that he offered a resolution in Congress, in 1820, to that effect. The Constitution was our own rule, not a rule for Spain, nor a part of the law of nations. The rights and interests of a vast variety of parties, and of whole nations, have been established on our error. Can we rightfully assert that error to dispossess them? If we claim Texas on this ground, we must give up Florida, which was acquired by the same treaty, and which has already cost us *fifty millions*. Is not this the case, and the consequence?

§ 5. *A state of War.*

The "*Immediate Annexationists*," aware of the critical position into which they were about to plunge the country, in its relations with Mexico, have denied that there is a *state of war* between Mexico and Texas. Mr. Senator Walker says, that ever since the battle of San Jacinto, in 1836, the relations between Mexico and Texas have "been a state of peace—of profound peace." He moreover says that the Government of Mexico "is not now, and never was the Government of Texas," and that "the people of Texas never owed or rendered it any allegiance."

The Publicists, or writers on international law, say, that "war is a controversy by force. Nations are said to be at war, not only when their armies are engaged, but also when they have any matter in dispute which they are determined to decide by the use of force, and have declared by words, or shown by certain actions, that they are determined so to decide it. War, therefore, signifies not only an act, but a *state* or condition."—*Rutherford*. "Custom has so far prevailed, that not the act, but the state or disposition now goes by that name" (war).—*Grotius*.

In Kennedy's "Texas," the Anglo-American population of Texas, the party now in controversy with Mexico, is stated to be 200,000, and the Mexican population, within the borders of the Republic of Texas, he puts at 100,000; a later authority makes it 150,000. This Mexican population lies chiefly on the left bank of the Rio del Norte, is entirely subject to Mexico, and so far as we know, they prefer Mexican jurisdiction. Mexico not only maintains an undisturbed civil jurisdiction over these parts of the Republic of Texas, but has military occupation thereof, with hostile intent and hostile demonstrations—is in short *encamped* in the Republic of Texas, without having experienced any disturbance of its position. The Republic of Texas is not only in actual military dispute between these belligerent parties, but it is at least doubtful, which party is most strongly entrenched on the premises. If we take Mr. Tyler's Message to the Senate, accompanying the Treaty, who says, "I repeat, the Executive saw Texas in a state of almost *hopeless exhaustion*," we may fairly conclude, that Mexico is much the strongest party on the ground. She is there, confessedly, in military array, and in undisturbed possession of no inconsiderable portion of the territory and population of Texas. The people she governs without dispute, and by their own choice. Mr. Tyler, in his last Annual Message, and all his official documents, referring to the subject, calls this "WAR." So do our Secretaries of State, Messrs. Webster, Upshur, and Calhoun, in all that they say about it. So do the public functionaries of other nations in their correspondence with the belligerent parties and other powers on the subject. So do the authorities of Mexico and Texas. President Houston officially proclaimed an armistice, the 15th of June, 1843, but prematurely, as it was not consummated. Mexico and Texas have been continually fighting, by sea and land, since 1836, whenever they could, and Mexico has officially notified our Government more than once, that the Annexation of Texas to this Union will be regarded by Mexico as an adoption of the war, and in this she still persists, even down to the return of dispatches to Washington, June 17th, 1844. Will anybody say, this is not a *state of war* between Mexico and Texas?—Mr. Senator Walker calls it "*a profound peace*!"

§ 6. American Doctrine of Neutrality and Non-intervention towards Belligerents.

"Peace with all nations, and entangling alliances with none," was the advice of Washington, and this principle has been sanctioned by our practice from that time to this, except as, in regard to the first part of this advice, just provocations have summoned us to arms—for which also we are advised by the same authority, "in peace prepare for war." Not to "entangle" ourselves in the quarrels of belligerents, has ever been the policy of our Government, till Mr. Tyler got up the Treaty of Annexation. In the recognition of the independence of the South American States, of Mexico and Texas, the successive administrations of Monroe, Adams, Jackson, and Van Buren, were careful to advise all whom it might concern—they published it to the world—that this act, "in no sense or degree," went or could be construed to determine the *merits* of the controversy pending, or which party was in the *right*. Our principle and aim always have been to acknowledge the government *de facto* (*actual*), but never to judge the question of *right* between belligerents, knowing, that by this last decision, as to *right*, we should render ourselves liable by the law of nations, to be held responsible as a party in the contest. The Committee of the House of Representatives, on Foreign Affairs, 1822, reporting in favor of recognizing the independence of certain of the South American States, said, "Whatever might be the policy of Spain in respect to her former American Colonies, our recognition of their independence can neither affect her *rights*, nor impair her means in the accomplishment of that policy. Should Spain, contrary to her avowed aim and acknowledged interests, renew the war for the conquest of South America, we shall observe, as we have done, between the parties, *an honest and impartial neutrality*."

President Monroe, in recommending this recognition, said, "It is not contemplated, thereby, to change, *in the slightest degree*, our friendly relations with *either* party. Of this friendly disposition, an assurance will be given to the Government of Spain." The Secretary of State said to the Spanish Minister, in his correspondence on the same subject, "This recognition is not intended to invalidate any right of Spain." Mr. Forsyth, acting under the instructions of President Van Buren, in 1837, says to General Hunt, the Texan Ambassador, applying for Annexation,—

"In determining with respect to the independence of other countries, the United States have never taken the question of *right* between the contending parties into consideration. . . This was the course pursued with respect to Mexico herself. It was adhered to when analogous events rendered it proper to investigate the question of Texas independence. . . The question of the annexation of foreign independent States to the United States, has never before been presented to this Government." With regard to the purchase of Louisiana and Florida, Mr. Forsyth says:—"The circumstance of their being Colonial possessions of France and Spain, and therefore dependent on the Metropolitan Governments, renders those transactions materially different from that which would be presented by the question of the annexation of Texas. . . The President thinks it inexpedient, under existing circumstances, to agitate the Constitutional question. . . So long as Texas shall remain at war, while the United States are at peace, with her adversary, the proposition of the Texan Minister Plenipotentiary necessarily involves the question of war with that adversary," &c. (See further on this point, § 2.)

Such has been the *uniform* practice of our Government, till Mr. Tyler, in his Message to the House of Representatives, June 10th, of the current year, appealing from the Senate to that body, said—"The Executive has dealt with Texas as a power independent of all others, *both de facto and de jure*—and here the Rubicon was passed. That act, sanctioned, would have involved us in war. *As it is*, but for the favorable consideration, on the part of Mexico and other powers, arising out of the rejection of the treaty by the Senate, it might even yet involve us in war. The act itself, and its accompaniments, were acts of *hostility*, by the law of nations.

§ 7. Recrimination.

It is said, that President Adams, in 1827, and General Jackson, in 1829, made suit to Mexico for Texas, before the independence of Mexico was acknowledged by Spain, which is the same thing as to negotiate with Texas alone for Texas. It is not the same thing. 1. Because negotiations were at the same periods opened with Spain, and there is no evidence, that either Mr. Adams or General Jackson contemplated getting Texas without the sanction of Spain. On the contrary, there is every reason to believe that they considered such consent indispensable. 2. It is maintained, by the Immediatists, that Mexico has suffered a lapse of her rights, by lapse of time—*eight years*—and by default of asserting them. We have seen how she asserts them; and if they have expired in *eight years*, much more had the rights of Spain expired in 1827 and 1829, the first period being *seventeen* and the second *nineteen* years after the commencement of the Revolution, in 1810. By the Treaty of Cordova, in 1821, the independence of Mexico, and her ability to maintain it, were acknowledged, and the extinction of the power of Spain in Mexico, was declared. It is true the king refused to ratify the treaty, and afterwards, in 1829 occupied Tampico with a small force *forty-four days*, when it was reduced and surrendered. In 1836, Spain, contrary to custom, acknowledged the independence of Mexico, because Cuba needed it for purposes of commerce. But she did not

acknowledge the independence of Holland till seventy years after her revolt, and she still claims her rights over Colonies which have been independent for a quarter of a century, more or less. Unable to take care of herself, she lets them alone, and other nations, by common consent, have virtually settled the question for her, as in the case of Holland. Nevertheless, neither Mr. Adams nor General Jackson, so far as appears, would have taken Texas without the consent of Spain. 3. Our relations with Mexico are widely different from our relations with Spain. Spain was beyond sea, and the Treaty of Cordova had acknowledged her power in Mexico to be extinct, as in fact it was. She could not take care of herself, but was under the protection and in the hands of European powers. Whereas, Mexico is a border Republic; we have treaty engagements with her for amity and intercourse, corresponding with our relative position and mutual necessities; in 1831, we made a special treaty of *boundary* with her, based on our treaty with Spain, in 1819, thereby recognizing the rights of Mexico over Texas, which is a treaty still, with all its obligations unimpaired, *so that, as between us and Mexico*, Texas is a province of Mexico, notwithstanding that we acknowledge Texas as the Government *de facto*, so long as she maintains her ground. This is our doctrine and our practice. 4. Mexico has kept uninterrupted possession of 2000 miles of the Republic of Texas, in one direction, extending so far into the heart of it, as to embrace the whole of some and parts of other of her departments, some large and important towns, and a population but little short of that which acknowledges the jurisdiction of Texas. As a neutral power on terms of amity with both, we are not entitled to decide their relative rights and claims, nor can we lawfully interfere in their disputes. We have as good a right to negotiate with Mexico alone for Texas, as with Texas alone, and are equally bound to respect the claims of both.

§ 8. *The Weakness of Mexico.*

Mr. Senator Walker says—"If Mexico should make war on us, it would excite nothing but pity and derision, as well among women and children, as among men." We say—"Let not him that putteth his harness on, boast himself as he that putteth it off."

"He's doubly arm'd who hath his quarrel just."

Let us consider this imputed weakness of Mexico. The Florida Indians were *weak*, but it took us some half dozen years, and it is said to have cost us *forty millions*, to subdue them. These Indians were comparatively accessible, and begirt by impassable seas. Between us and Mexico, in case of war, lies a waste of a thousand miles, to be marched over, the almost undisputed domain of wild and fierce aboriginal tribes, if they choose to make it so, and for which they might have strong inducements. Ten to one they would be in the *mêlée*. With the numerous tribes of those vast regions against us, a civilized army would chance to perish before them, as did the legions of Napoleon on the plains of Russia. Aid they would not be without, while we have enemies. But, it may be said, we would move quick, and strike a sudden blow. And would Mexico be asleep? "Forewarned, forearmed." In such a case, she would be united to a man and ready for the fight. Such, we understand, are her feelings now. She would await us on her own ground, can at any moment bring ten, probably twenty times more force into her own fields than we can move towards them; and they would fight *by* their fire sides, *for* their fire sides—for their altars and their sacred home. Do we count on raising a large force? Armies require money, and money must be *voted*. In a republic, war, to be vigorous, must have the *heart* of the people enlisted in it. They must know and *feel*, that they are in the *right*. Will it be so in this case? If not, you are beaten, before you begin. In such a case you cannot march an army *one inch* towards Mexico. You will *have* no army. Your half dozen regiments—what are they? Do you talk of *volunteers*? How will you *coax* them at the end of a seven days' march and sore feet? Where is your commissariat, without an appropriation adequate to the enterprise? If you could raise troops, you are without clothing and food. You have to ask the people for supplies, and the people, peradventure, *don't like the war*. You did not consult them. By this time, Mexico has filled her chests with millions of gold, for commissions sold to countless privateers, which, in six months, will have destroyed fifty millions, more or less, of your commerce; and with that gold, armies will come quick, move briskly, and fight well. By this time, too, Mexico may have formed her alliances, offensive and defensive, with Great Britain, or France, or both. M. Guizot, prime minister of Louis Philippe, it is said by a Paris Journal, the *Constitutionnel*, has already recorded his protest, in behalf of France, against the annexation of Texas to us; and Mr. Everett tells us, that, on the 17th of May, Lord Aberdeen said in the House of Lords, that this affair "raised a question unexampled in the history of public law, which would demand and receive the early attention of Her Majesty's government." It appears to be morally certain that in our breach of faith with Mexico, for purposes of conquest, or for such objects as will be attributed to us in this case, Mexico will have much sympathy, and not unlikely will be able to form any alliances required to make

her formidable to us by sea and land. It will be a war of sentiment—of opinion, as well as of interest—and the opinion of the world will be against us, right or wrong. If we provoke the world to oppose our war for the annexation of Texas, it will chance to cost us *hundreds of millions*, without getting Texas. Strong and invincible as we may be, *when united in a good cause*, it would be a rash enterprise to brave the opinion, and set at defiance the powers of the civilized world. We have presented this picture as a *probable future*, on the contingencies supposed; and honestly, we can conceive nothing *more probable*. The annexation treaty brought us to the verge of a war, such as history has rarely, if ever, recorded. Mexico *weak*? That depends entirely upon circumstances. There is no power on earth so strong as she would be against us, if the world should pronounce us *in the wrong*.

§ 9. *For whose advantage is Immediate Annexation.*

It seems to be generally understood that the project of annexation has some connection with slavery. If Mr. Senator Walker's theory (*one of his theories*), to wit, that annexation will open a natural outlet of slavery and of African blood, to merge itself with the already partially colored races of the tropical regions of this continent, till it disappear from its present latitudes, and vanish into freedom—if this theory should prove a sound one, there will of course be no objection to annexation among those who dislike slavery. But if the motive is to establish slavery more securely, they who go for it on that account, will doubtless think it prudent to consider whether the annexation of a foreign state will not be regarded by many as surpassing the powers of the Constitution; and whether this opinion may not be entertained to such an extent as to put in peril the security now afforded to slavery by the Constitution itself, so long as the present bounds of the republic are not extended? As things now are, no power can Constitutionally disturb the slave States in the matter of slavery. But if they insist on having Texas, while a general impression prevails that such a union is unconstitutional, the present rights of the slave States, as determined by the Constitution, may be held as forfeited. This, as will be seen, would put slavery in a new position, and possibly might defeat the object of annexation as alleged. If, indeed, this has been foreseen, and the plan of a southern and independent slaveholding Confederacy be relied upon to meet the case, that, too, is at best a contingency, and one that might properly claim much grave reflection before it is attempted. Now the slave States are secure, and can have slavery as long as they choose to maintain it. But break away the dam, and it is not easy to tell where the waters will run. It should be well considered, that, while the people of the free States, naturally and generally averse to slavery, will feel bound to defend the Constitution for the whole republic within its present limits, they would as naturally be reluctant to aid in employing the powers of the Federal Government, which were professedly set up to give and secure freedom to mankind, to extend yet farther, and farther to fortify the domain of slavery.

It ought doubtless to be fairly stated and well settled, whether Texas is to be annexed for the common and equal good of all parts of the Union, or only for the supposed good of one section? There is a heavy debt to fall upon the country by this transaction, according to the developments of the Tyler treaty. If Pennsylvania is not to be benefited, will it be fair to add one or two millions to her present burden of forty millions, to pay the debts of a foreign state, when she cannot pay the interest on her own debt except by direct taxation? The hard-working and hard-fisted people of the free States, who live by the sweat of their brows, and who look upon labor as an honor, and not as a servile brand, will want to know, if this El Dorado of the south west will be a field for them to find gold in; or whether, if they go there, they will have to work, side by side, with slaves? If they are to buy it, and pay for it, they will wish to know, whether they are to get their money's worth?

§ 10. *Immediate Annexation in the light of Political Economy.*

That Texas would add much to the geographical perfection of this Republican Empire, is certain; that it is a great and valuable country, is no less true; that it is likely to constitute a part of this Union, at a future day, may easily be believed; but a little reflection will show, that its *immediate* annexation as a slave State, will of necessity and rapidly revolutionize the commercial condition of the present slave States, and tend to impoverish them. The market for the staples of the South, in which the wealth of the slave States consists, is a limited one, and must remain so, with slow and slight variations; and it is well known, that those States are capable of enhancing the supply of these staples to an indefinite amount, which a growing demand would instantly call forth. Let Texas be annexed, and the field for the production of these staples, more especially of Cotton and Sugar, would be almost instantly transferred to the more inviting soil of this new member of the family, and the laborers (the slaves) must go too. Texas alone, under our fostering government and adequate culture, would, after a short season, furnish all these most important staples to the full demand of the market at much less cost, and the chief business of the present slave States would be to raise negroes!

The South would be removed into the South West, and a vast desert would be created between the two great sections of the Union (if Union there would be after such a revolution) — a mere stable for the breeding of slaves! And slave-breeding itself would soon flag, and give place to other inventions, which necessity and poverty might suggest. There is no power that could prevent a result of this *kind*, in the case supposed, though we may be unable exactly to estimate the extent of it. It may perhaps be said, that this transfer of the field of Cotton, &c., is inevitable, annexation or no annexation, and that it will be better to have it under our own control. If it is inevitable, why *precipitate* the ruin of the Southern States? — But we do not think it is inevitable. As a province of Mexico, Texas would never be a competitor of any section of this Union, and as an independent State, Mr. Tyler solemnly declares he “found her in a state of almost hopeless exhaustion.” No doubt he did find her so. So far from threatening to rival any of the States of this Union, in a separate and independent existence, it is much more probable, that a half century to come would not find Texas relieved from the ruinous effects of her social profligacy and her financial prodigality, if it could ever be done. If the people of the South are so filled with concern on account of Abolition at home and Abolition abroad, as to be willing to throw away the shield of the Constitution, and plunge headlong into such a suicidal abyss, it will at least amaze all sober thinking men.

But it is said, Texas will throw herself into the arms of a European power, if we do not take her. There is not a nation on earth that would accept the boon, without our consent. Witness the repeated and gratuitous disavowals of the British Government of any such intent, within a twelvemonth past. So long as we maintain the plighted faith of our neutral position, and adhere to our principle of non-intervention with belligerent States, we can at least respect ourselves, and we shall certainly have the strongest possible ground to defend our rights of contiguity to Texas, founded on the public law of nations, against aggressors. As a fragment of a border and friendly power, to which we are bound by a treaty of amity and good faith, Texas, itself on our border, cannot claim the right, first to rebel, thereby opening a field of war and disturbance between us and our ally, and then to put or admit an enemy there. Nor can Texas fairly accuse us of unkindness. It is not a case in which kindness can overlook principle. She cannot demand of us to set her up on our own ruin, or to our own dishonor. Charity is out of the question, so long as our national faith, our own public professions and engagements, forbid its exercise.

§ 11. *It is said we want Texas for defence against Free-Trade and War.*

As to *war*, whatever be our limits, we are exposed to that, and the wider they are, the greater the exposure. It is not difficult to see, that we already have a sea-board long enough to defend against a powerful maritime foe, without adding five hundred miles to the line, with all the costs of fortifying it. Texas, as a neutral State, in a time of war with Great Britain, or any European nation, would be a wall of defence, instead of a battle-field; and it will be our business to see, that she stands neutral, if she chooses to be independent. We have had two wars with Great Britain, with her jurisdiction bordering upon us from the Atlantic to the Rocky Mountains, and with far greater facilities of descent upon us, than Texas would afford, even if she were a British province. As for Free Trade, smuggling, and all that, if a Tariff is necessary to us, it will be necessary for Texas, and for the same reasons. She is not so rich as to be able to do without a revenue. In 1838 she adopted the revenue laws of the United States—not as they stood then, for they were not high enough—but as they stood a year before. Even if she could afford, or should be foolish enough, to sacrifice herself on the altar of free trade, smuggling through her would be much more difficult than over the boundary between us and the British dominions on the North, of which we have so little, as to hear nothing.

§ 12. *The True Reasons for Immediate Annexation.*

Mr. Benton, in the Senate of the United States, has, we believe, stated them truly. 1. Speculation in Texas funds and land scrip. 2. To make political capital for the Presidential Election. And 3. To dissolve the Union, and erect a Southern slave-holding Confederacy. The first panders to the second, and the third is a conspiracy by itself. It is a singular fact, in the current of events, that the great, and for a long time dominant political party of this country, which has always laid claim to clean hands and pure hearts in their aversion to and exemption from the influence of stock-jobbers, moneyed capitalists, and a moneyed aristocracy, have at last formed an alliance with a stock-jobbing interest in amount far greater than the entire capital of a National Bank, and as much more dangerous than a bank, as the former is perfectly irresponsible, intangible, and beyond the reach of any law, while the latter is amenable to the Government and the people. Such precisely is the position of this great party at this moment. They have at least a hundred millions of dollars as political capital to speculate upon, and all which can be bought with this amount of money in prospect, prop-

erty distributed, will inure to their benefit. This capital is worth little or nothing *without* their success; *with* it, it mounts instantly to par, and to a premium. The interests and people of this Union, may be—*must inevitably* be injured to an inestimable amount; they may be ruined; but the fortunes of the leaders of this party, and of those who buy them up, *are at stake*. It is a great stake, and will be fought for desperately.

As for the conspiracy of treason, to dissolve the Union, and erect a Southern slave-holding Confederacy, it is not for us to bring the proof, when Mr. Benton and the great "Globe" itself have confessed it—have themselves brought the charge. The Beaufort, Edgfield, Barnwell, Sumter, St. Helena, and other resolutions reported to us from South Carolina, and paraded in the Globe, item by item, smelling so rankly, so foully of treason, and so interpreted by the Globe itself, are enough to settle the question of *fact*. Mr. Benton and the Globe knew, that the people of this country were not ready to be precipitated over such a precipice, into the abyss below. They knew, that the Polk and Dallas Ticket had been made up by these conspirators; that the South Carolina Delegation did not come into the Convention at Baltimore, till this nomination was made; and that when they did come, they were received with most tumultuous and deafening shouts of applause, in sympathy of a common triumph. Mr. Benton and the Globe knew, that the conspiracy was hatched, when they saw it strutting abroad, and proclaiming its designs. Feeling for the safety of a common cause, and not being able to conceal the facts, they confessed them, put their finger upon them, and sprung to the rescue of Polk and Dallas, from such imminent peril—but *too late*. A Southern Convention of the Conspirators was already proposed at Nashville, Tennessee! It may be stopped—quite probable—but it was *proposed*—and proposed at NASHVILLE! We honor Mr. Benton and the Globe for the honest warning they have given to the country.

§ 14. *The Debts of Texas*

If they do not themselves know what they are, how can anybody else know? They have sold land scrip, and borrowed money wherever they could at ten per cent, but can render no reliable account. We can easily see by the evidence of their own history, debiting the State for the lands acknowledged to be sold, and adding to that some of their earliest loans, how they have used up *seventy-seven millions of dollars*. Whether the unascertained actual debts are *seventy-seven*, or *fifty*, or *twenty millions* more, it is impossible to say. The Texan Commissioner, who treated with Mr. Tyler, said, he believed the debts were not more than *five millions*; but Mr. Tyler was generous enough to *assume ten millions*. Whether this gratuity of *five millions* was to be distributed among those who helped Mr. Tyler, in the matter of this treaty, we are not informed. Any how, the Texan functionaries could easily run up the debt from *five to ten millions*, before the settlement. Mr. Clay, in his Raleigh letter, supposes the debts may be *thirteen millions*. Since that time, in about two months, they have mounted up to *twenty-two millions*, by the transpiring of new evidence. Growing at this rate of four and a half millions a month, they would be *seventy-eight millions* at the end of twelve months more. No doubt, if we were to take Texas, as a man does his wife, "for better for worse," we should have a prodigious draft on our treasury, especially when we consider what a fine opportunity there would be to *forge* evidences of debt. We should hope, in such a case, that there are no *rogues* in Texas, and that they have been grievously slandered in the naughty words that have been said about them. At best we must conclude, that the amount of the debts of Texas is very uncertain. It is pretty generally understood, that all their valuable lands are well shingled over with titles. No wonder that the holders of Texas bonds should desire to find a pay-master in the United States, or that the owners of Texas land scrip should exert themselves to give a value to it by "immediate annexation." One thing is certain, that in buying Texas, we buy *all* her debts.

§ 15. *The Menaces of Texas.*

When General Hunt, the Texan Minister, applied to our Government for annexation, in 1837, he said to Mr. Forsyth, "The undersigned will not conceal from the Honorable, the Secretary of State, the *apprehension* that any delay in the conclusion of the treaty of annexation, may be fatal to its ultimate accomplishment." And then he goes on to speak of the probability, in case of being refused, that Texas will form connexions with European powers, *prejudicial* to the interests of the United States. To which Mr. Forsyth, with exemplary dignity, replies, "In that case, this Government would be consoled by a consciousness of the rectitude of its intentions, and the certainty that, although the hazard of transient losses may be incurred by a rigid adherence to just principles, no lasting prosperity can be secured when they are disregarded." This was indeed princely conduct. It was more than that: It mounts to the dignity of Christian principle, and was a just rebuke. From that time to this, we have been menaced in the same way, directly or indirectly; and Mr. Tyler tells us "*now or never*." All these menaces are answered by Mr. Forsyth. Texas, and all concerned,

should know, that we are not to be brow-beaten into a breach of faith and a violation of the law of nations for fear of such consequences. Great Britain has given us her word of honor—which Mr. Benton says, “is enough for me”—that she will neither offend nor injure us by forming connexions of this kind. Respect for the political, social, and commercial rights of parties in such juxta-position, is a recognized principle of the law of nations; and, if Texas is disposed to be singular, we may be consoled, as Mr. Forsyth says, for having done right. The truth is, Texas cannot do wrong in such a matter, if she would, because she can find no European power that would be party to it. In the last resort, “if necessary,” as Mr. Clay says, “we could appeal to arms,” rather than tarnish our honor, or have our rights trampled on.

§ 16. *Assumption of State Debts.*

It is pretty manifest, that the “*LONE STAR*” would be slow in moving towards our constellation, to have her glory merged in our beams, if she were not in peril of being blotted from the firmament. She modestly asks us to adopt her war, and pay her debts, as the condition of being snugly packed in our society. Texas being, as Mr. Upshur said to Mr. Murphy, “persecuted by an unrelenting enemy” (that is, being in Mr. Walker’s state of “profound peace”), and, as Mr. Tyler says, “in almost hopeless exhaustion,” it is not so much a wonder she should be willing to have us take her war off her hands; nor could she naturally object, that we should take her debts too. Not to speak of the expenses of the war, is it right that the States of this Union, about half of which are already in debt on their own account about *two hundred millions* in the aggregate, should be obliged to add to their burdens *fifty* or even *twenty millions*, to pay the debts of Texas, as a compliment to her condescension in taking rank with them, that she may come in scot free, and not be hereafter vexed or trammelled with debt? The indebted States have never asked such a favor; they do not expect it; no man or party has asked it for them; they would not take it because they believe it is unconstitutional. All parties agree that it is unconstitutional. It is singular that this hitherto insuperable difficulty of *assumption*, should be so suddenly and so easily got over to the tune of *tens* or *scores* of millions, when a *foreign* state wants the benefit of it! The trick of saying she is not a State of the Union, but only in the process of becoming one, will hardly do. It will be the most natural thing in the world, for the indebted States to say, “Well, gentlemen, pay our debts too, and we will think of it.” And the unindebted States must have their share of the bonus. How is it possible to avoid this *universal assumption—this great charity*? Admitting that Texas is a prodigal son, who has spent all “with harlots and in riotous living,” and that it is fit to rejoice over his return, ragged and miserable though he be, there is no good reason why he should be exalted over the heads of the rest of the family, who have served from the beginning in contributing to the common weal, and in creating this ability to *assume* the debts of others.

§ 17. *The Union—Nullification.*

When Mr. Senator McDuffie said in his message as Governor of Georgia, in 1836, “If we admit Texas into our Union, while Mexico is still waging war with that province, with a view to” (re-) “establish her supremacy over it, *we shall by the very act itself, make ourselves a party to the war*,” it cannot be denied, that he acted in good fealty to this great Confederacy. It was a genuine spark of the virtue of “*OLD ’76*,” and in harmony with his oath of allegiance to the Federal Constitution. But when, in the early part of the first session of the 28th (present) Congress, he presented to the Senate of the United States his project of *three* Confederacies, and attempted to show the advantages that would result from the consummation of such a plan, there was something startling to the feelings of that body. As an ingenious hypothesis, it might be innocent; but the time and the place did not seem to be most suitable. The Hon. George Evans, of Maine, in noticing this, was constrained, in common charity, occasionally to throw in some such remarks as this:—“I presume the honorable Senator was not *serious*.” But subsequent events have cast light on the inception of that *project*. It would seem that Mr. McDuffie, and many others with him, *are serious*, and that Mr. Van Buren was set aside at the Baltimore convention, and Mr. Polk put forward, as a part of a plan to dissolve the Union, and erect a Southern Confederacy! We have already noticed that Mr. Benton and the *Globe* have considered the developments sufficient to warrant a recognition of the *fact* of such a conspiracy, and to bring the charge. They did it so promptly, to save Messrs. Polk and Dallas from being involved in the responsibility. How far these candidates are cognizant of such designs, it is impossible to say; but that they were nominated to carry them out, or to *permit* them to be carried out, if occasion should require, there cannot be a doubt. They are the *men* of those conspirators, put forward as *tools*.

The Spectator, Mr. Calhoun’s organ at the city of Washington, pluming the conspiracy on this great achievement, says:—“Never was there a more remarkable proof of her power,

when united" (the power of the South), "than in controlling the nomination of that Convention. She made one brave sally, and swept all opposition before her. *Texas defeated Mr. Van Buren.*" The Charleston Mercury, another Calhoun organ, says, "Mr. Polk's views on the Tariff, the Bank, and the all-absorbing question of Texas, are SOUTHERN TO THE BACK BONE."

It may be supposed we have said enough to show—indeed it should be deemed quite unnecessary to say—that this Union, *as it now is*, under the shadow of the Constitution, is a glorious republican fabric. We do not say, that it cannot, or ought not to be, at a proper time, enlarged by the annexation of Texas. Personally, we have been, and still are disposed to think favorably of such an acquisition, if it can be made harmoniously, and without prejudice to the social, commercial, or political interests of the Union as it now is. But if "TEXAS OR DISUNION" is now to be forced upon the country, *per fas aut nefas, vi et armis*, without regard to consequences, we pray God, that the projectors of this rash scheme may be disappointed. Of this glorious Union, we say, let it not be assailed by rude hands. *Esto perpetua*—LET IT NEVER PERISH! WO TO THEM WHO WOULD DESTROY IT!

§ 18. A "Swell Mob."

Anybody who has been at St. Bartholomew's Fair, London, or to any other similar great assemblage of that metropolis of the British Empire, will have chanced, in all probability, to know what a "swell mob" is. For example:—the pick-pockets prowl about in squads among the throngs, and all of a sudden a "swell" is felt, and a rush made. You can't tell what it is, nor what it is for, but you are borne onward because you can't help moving with the "swell." By the stretching of necks all around you, it would seem there is something ahead which all are anxious to see, and you also stretch your neck, and with all the rest ask,—*What is it?* The rogues have diverted your attention from yourself and your pockets, and you do not perhaps know, till you have got to your lodgings, that you are robbed! The "swell mob" had so effectually blinded your eyes, that they had the best possible chance, without your suspecting, at the moment, what they were at; and so you have lost all there was in your pockets, and they have got the booty.

Now, this "immediate annexation" movement is a political "swell mob," got up by rogues to make or mend their fortunes by it. The old issues of Tariff, Currency, Land Distribution, Retrenchment, and such like, on which the people have made up their minds, and are prepared to act, and act right—these must all be thrust aside, because there is no profit in them for rogues, and an *ignis fatuus* is held up and kept dancing before the public eye, till the people can see and think of nothing else. *Look! behold! it is Texas*, away off in a bog yonder! Who hears of or who sees anything but *Texas*?

We had never heard much about Texas before; but Texas is *all—everything now*. All other questions—all other issues most important to the country, and for which the nation has been struggling for a quarter of a century, are forced into the back ground, just at the moment when all was about to be decided right—(no doubt it will yet be so decided), and a "swell mob" rushes upon the stage, to pick the people's pockets! You don't exactly know what the matter is—but there is something away ahead yonder—what is it? It is *Texas*. The people stretch their necks to see what this Texas is, and while they are intent on the unseen object, the hands of a gang of rogues are in their pockets!

It will be seen by every one, that this Texas Annexation movement is nothing but a "swell mob;" and if so, it is no less certain, that it is got up by rogues. One laughs—he may as well laugh as cry—when he finds, how slick he has been robbed by a "swell mob." He laughs at their dexterity, and at his own simplicity. He was as innocent as could be, when they were rushing on him, and rushing past him, and seeming to be after something ahead, and begging his pardon for running against him, or pushing him down, while he himself was as anxious as they appeared to be, to see what in the world all this fuss could be about! *Lo! and behold!* when it was all over, it was all nothing! But when he gets home he finds he has lost his pocket book! Who wouldn't laugh at such an ingenious cheat, himself the dupe? It is to be hoped, that the people of this country will understand this Texas "swell mob," before it is too late; and that, instead of being pushed down and robbed, they will rush upon the horde of thieves, and throw them into the ditch. The rogues are of three classes. 1. The owners of Texas scrip and land claims. 2. The political stock-jobbers. And 3. The Nullifiers. Captain Tyler stole the thunder from the first class; the Locos stole it from the Captain; and everybody sees the feather in the cap of the Nullifiers.

